

ITEM NO.40

COURT NO.12

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 9772/2019

(Arising out of impugned final judgment and order dated 20-12-2018 in MVATA No. 16/2018 passed by the High Court Of Judicature At Bombay)

RICOH INDIA LTD.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

(IA No. 76913/2020 - INTERVENTION APPLICATION; IA No. 76891/2020 - INTERVENTION APPLICATION)

Date : 22-04-2024 These matters were called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. Anshuman Srivastava, Adv.
Mr. Himanshu Saraswat, Adv.
Mr. Shashwat Singh, Adv.
Mr. Neha Agarwal, Adv.
Mr. E. C. Agrawala, AOR

For Respondent(s) Mr. Rahul Chitnis, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Preet S. Phanse, Adv.
Mr. Adarsh Dubey, Adv.

Ms. Charanya Lakshmikumaran, AOR
Ms. Apeksha Mehta, Adv.
Ms. Neha Choudhary, Adv.
Ms. Umang Motiyani, Adv.
Ms. Falguni Gupta, Adv.
Ms. Jyoti Pal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

I.A.No.53260/2024 in SLP(C)No.9772/2019

Learned Senior Counsel appearing for the petitioner submitted that the application may be allowed in as much as the name of the petitioner has to be now changed to *Minosha India Limited*. In view of the successful completion of the Corporate Insolvency Resolution Process (for short 'CIRP') as the *Minosha India Limited*, is the successful resolution applicant. There being no objection to the said application and the same stands allowed.

Amendment to be made in the cause title accordingly.

I.A.No.53247/2024 in SLP(C)No.9772/2019

Learned Senior Counsel appearing for the petitioner submitted that the Special Leave Petition may be disposed of as having become infructuous in view of the Judgment dated 10.03.2021 passed in Civil Appeal No.2943-2944 of 2020 by this Court, whereby the order dated 28.11.2019 passed by the National Company Law Tribunal (for short 'NCLT') was confirmed which in turn held that the new management of the petitioner will not be held responsible for any outstanding statutory dues and other claims for the period prior to the commencement of CIRP.

A further prayer in the said application is to declare that in view of the judgment dated 16.10.2023 passed by the National Company Law Appellate Tribunal (for short 'NCLAT'), New Delhi in CA(AT)(Ins)No.109 of 2020, the respondent's claim against the

petitioner herein does not survive for consideration.

Learned Senior Counsel for the petitioner submitted that having regard to the aforesaid prayers, the application may be allowed and consequently, the Special Leave Petition may be disposed of as withdrawn.

Having heard learned Senior Counsel for the petitioner and learned counsel for the respondent-State and bearing in mind the developments that have taken place in the matter, the Special Leave Petition stands disposed of as having become infructuous, in light of the aforesaid prayers that have been made for by the petitioner herein. It is also noted that having regard to the judgment dated 16.10.2023 passed by NCLAT, the claim of the respondent-State would no longer survive.

The application stands allowed, in the aforesaid terms. The Special Leave Petition is, accordingly, disposed of as withdrawn.

However, questions of law, if any, which arise in the matter, are kept open.

Interlocutory Application for intervention stands disposed of.

(VARSHA MENDIRATTA)
COURT MASTER (SH)

(MALEKAR NAGARAJ)
COURT MASTER (NSH)